

APR 24 2006



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INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Thomas E. Toner
Attn:	Examiner Amelia A. Owens – Art Unit 1625	Client:	1372.92.PRCCP
Fax:	(571) 273-8300	Pages:	9 including coversheet
Phone:	(571) 272-0562	Date:	April 24, 2006
Re:	USSN: 10/605,787	CC:	University of South Florida (Assignee)

☐ Urgent    ☒ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

Dear Examiner Owens:

In response to the non-final office action mailed January 23, 2006, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated April 24, 2006 - (2 pages);
- 2) Amendment A with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated April 24, 2006 - (4 pages);
- 3) Terminal Disclaimer to Obviate a Double Patenting Rejection Over a Pending Patent Application – (1 page); and
- 4) Credit Card Payment Form PTO-2038 in the amount of \$65.00 – (1 page).

Very respectfully,

Thomas E. Toner  
USPTO Reg. No. 57,422

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

APR 24 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/605,787 Confirmation No.: 2786  
Applicant: : David F. Fitzpatrick et al.  
Filed: : 10/27/2003  
Art Unit : 1625  
Examiner : Amelia A. Owens

Docket No. : 1372.92.PRCCP  
Customer No. : 21,901  
For : Isolation of a Dimer Di-Gallate, a Potent Endothelium-Dependent Vasorelaxing Compound

Transmitted to Central Fax at (571) 273-8300  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicants are independent inventors.

**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

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**CERTIFICATE OF FACSIMILE TRANSMISSION**

(37 C.F.R. 1.8 (a))

I HEREBY CERTIFY that this Amendment A, including Amendments to the Claims and Remarks, is being transmitted by facsimile to the United States Patent and Trademark Office, Attn: Amelia A. Owens, Art Unit 1625, (571) 273-8300, on April 24, 2006.

Dated: April 24, 2006

  
Shelley Butz

(Amendment Transmittal - Page 1 of 2)

**FEE FOR CLAIMS**

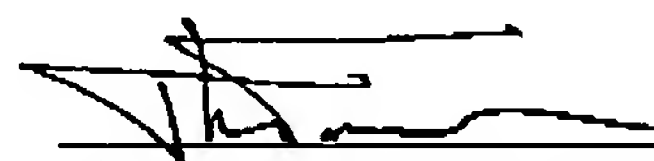
4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY		
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	
Total	8	Minus	20	= 0	x \$25 =	\$0.00	
Indep.	3	Minus	3	= 0	x \$100 =	\$0.00	
First Presentation of Multiple Dependent Claim					+ \$180 =	\$0.00	
Total					Addit. Fee	\$0.00	

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20"  
 \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".  
 The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

An additional fee for claims is not required.

Very respectfully,



**SIGNATURE OF PRACTITIONER**

Reg. No. 57,422  
 Tel. No.: (727) 507-8558

Thomas E. Toner  
 Smith & Hopen, P.A.  
 180 Pine Avenue North  
 Oldsmar, Florida 34677

(Amendment Transmittal - Page 2 of 2)